

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

CRIMINAL NO.04-10393-RGS

v.

FALCON ANDUJAR ARIAS

REPORT ON  
FINAL STATUS CONFERENCE

On June 14, 2005, the parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties represent that:

1. There are no outstanding discovery issues not yet presented or resolved by the Court.
2. The government does not expect to provide additional discovery.
3. The defendant does not intend to raise a defense of insanity or public authority.
4. The government has requested notice of alibi and the defendant has not responded that he will raise an alibi defense.
5. The defendant has not yet filed any motion to sever, dismiss, or suppress or, any other motion requiring a ruling by the District Court prior to trial.
6. There is no other matter which requires a schedule be set in the case.
7. The parties have discussed the possibility of an early resolution of the case without trial. At this time, it appears that this case will resolve by a plea.

8. There are periods of excludable delay under the Speedy Trial Act.

(a) Total amount of time excludable under the Speedy Trial Act:

12/23/04 to 1/3/05

1/3/05 to 1/31/05

2/14/05 to 3/30/05

3/20/05 to 5/3/05

5/3/05 to 6/14/05

(b) Amount of time remaining under the Speedy Trial Act before trial must commence:

56 days

9. Should this case proceed to trial, the government anticipates that its case-in-chief will take approximately 3 days.

By the government:

/s/Nadine Pellegrini  
Nadine Pellegrini, AUSA

By the Defendant:

/s/Cathy Byrne, Esq.  
Cathy Byrne, Esq.

Dated: 06/14/05

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